

\*\*\*\*\* **UNITED STATES DISTRICT COURT** \*\*\*\*\*

***NORTHERN***

**DISTRICT OF**

***NEW YORK***

**JUDGMENT IN A CIVIL CASE**

**DOCKET NO. 6:02-CV-0866 (LEK/GHL)**

\_\_\_\_\_  
**JAMES H. SIMRELL,**

**Plaintiff,**

**v.**

**JO ANNE B. BARNHART, as  
Commissioner of Social Security,**

**Defendant.**

\_\_\_\_\_ **JURY VERDICT.** This action came before the Court for a trial by jury. The issues have been tried and the jury has rendered its verdict.

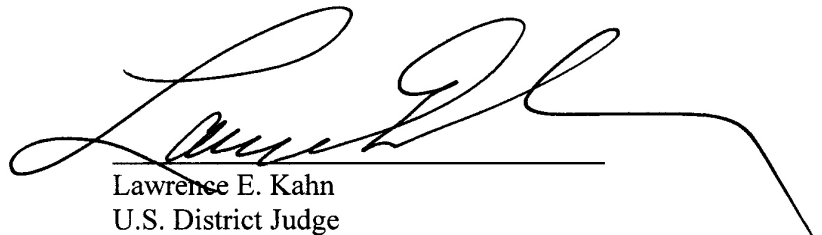
XX **DECISION by COURT.** This action came to trial or hearing before the Court. The issues have been tried and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the Report-Recommendation of the Honorable George H. Lowe, dated May 8, 2006, is **APPROVED** and **ADOPTED** in its ENTIRETY; **IT IS FURTHER ORDERED**, that in the above entitled action, the case is **DISMISSED** in favor of the Plaintiff and against the Defendant and this case is **REMANDED** to the Commissioner for further proceedings in accordance with the **DECISION AND ORDER** of the Honorable Lawrence E. Kahn, U. S. District Judge, dated September 26, 2006.

**DATE:** September 26, 2006

***LAWRENCE K. BAERMAN***

CLERK OF THE COURT

  
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Lawrence E. Kahn  
U.S. District Judge